

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-22 are currently pending. Claims 1, 4, 8, 13, and 18 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1, 3, 5-8, 10-13, 15-18, and 20-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,577,409 to Barker et al. (hereinafter “the ‘409 patent”); and Claims 2, 4, 9, 14, and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘409 patent in view of U.S. Patent No. 5,873,077 to Kanoh et al. (hereinafter “the ‘077 patent”).

Applicants wish to thank the Examiner for the interview granted Applicants’ representative on November 17, 2004, at which time a proposed amendment to Claim 1 was discussed. At the conclusion of the interview, the Examiner indicated that the proposed amendment would overcome the outstanding rejection of the claims.

Claim 1 is directed to network fax machine for faxing files received from a remote client, comprising: (1) a server unit configured to send a fax document form to a remote client over a network and configured to receive fax information entered on the fax document form from the remote client, the fax information including an identifier corresponding to a destination fax machine and a file to be faxed to the destination fax machine; and (2) a fax control unit configured to use the identifier to connect the network fax machine to the destination fax machine and configured to send the file to the destination machine by facsimile communication. Claim 1 has been amended to clarify that the server unit is

configured to send a fax document form to a remote client over a network. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

Applicants respectfully submit that the rejection of Claim 1 (and dependent Claims 3 and 5-7) as anticipated by the '409 patent is rendered moot by the present amendment to Claim 1.

The '409 patent is directed to a method and apparatus for controlling a scanning device. The '409 patent discloses a scanning unit 12 connected to a computer 14, as shown in Figure 2. Further, as shown in Figure 11, the '409 patent discloses a method in which a control form is created, printed out, modified by the user, and scanned into the scanning device 12 along with an actual document to be scanned. Based on the information scanned on the control form, the scanning device 12 sends a facsimile including the scanned document. However, Applicants respectfully submit that the '409 patent fails to disclose a server unit configured to send a fax document form to a remote client over a network and configured to receive fax information entered on the fax document form from the remote client, as recited in Claim 1. In this regard, Applicants note that the Office Action has equated the computer 14 disclosed by the '409 patent with the claim server unit and the scanning device 12 with the claimed remote client. However, given this interpretation, the '409 patent fails to disclose that the computer 14 sends a fax document form to the scanning device 12 over a network and then receives fax information entered on the fax document form from the scanning device 12. Further, Applicants note that the Office Action has not identified how the fax control unit recited in Claim 1 is disclosed by the '409 patent. In particular, Applicants note that Claim 1 requires a network fax machine comprising two elements: a server unit and a fax control unit. However, the Office Actions fail to specifically show how the '409 patent discloses a fax machine including a server unit and a

¹ See, e.g., Figures 1-3.

fax control unit, as recited in Claim 1. Accordingly, Applicants respectfully submit that amended Claim 1 patentably defines over the '409 patent.

Independent Claims 8, 13, and 18 recite limitations analogous to the limitations recited in Claim 1. Moreover, Claims 8, 13, and 18 have been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejections of independent Claims 8, 13, and 18 (and all similarly rejected dependent claims) as anticipated by the '409 patent are rendered moot by the present amendment to Claims 8, 13, and 18.

Regarding the rejection of dependent Claims 2, 4, 9, 14, and 19 under 35 U.S.C. § 103, Applicants respectfully submit that the '077 patent fails to remedy the deficiencies of the '409 patent, as discussed above. Accordingly, Applicants respectfully submit that the rejections of Claims 2, 4, 9, 14, and 19 are rendered moot by the present amendment to the independent claims.

Thus, it is respectfully submitted that independent Claims 1, 8, 13, and 18 (and all associated dependent claims) patentably define over any proper combination of the '409 and '077 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

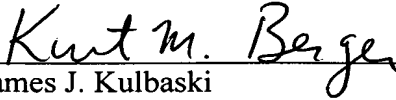
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